

**CALIFORNIA PARTICIPATING ADDENDUM
AMENDMENT #2
WESTERN STATES CONTRACTING ALLIANCE
COMPUTER EQUIPMENT, SOFTWARE, PERIPHERALS AND RELATED SERVICES
IBM CORPORATION
MASTER PRICE AGREEMENT
A63311**

1. **Scope:** The Participating Addendum covers the purchase of Computer Equipment, Software, Peripherals and Related Services for all State Agencies and will include all California political subdivisions. Depending on the contractor's award, as identified in the Master Price Agreement, the following equipment may be covered: Computer Equipment, Software, Peripherals and Related Services. A political subdivision is defined as any city, county, city and county, district, or other local governmental body or corporation, including the California State Universities (CSU) and University of California (UC) systems, K-12 schools and community colleges empowered to expend public funds. Each political subdivision should make its own determination whether the WSCA program is consistent with their procurement policies and regulations.
2. **Changes:** Changes to the terms and conditions of the signed Master Price Agreement and Participating Addendum are as follows:

In Section 8 of the Participating Addendum – Delete current Servicing Subcontractors and replace with:

Only those IBM Business Partners authorized by IBM are eligible to support the IBM WSCA/NASPO Master Price Agreement and will be identified in the individual Participating Addendum or on the individual website for the Participating Entity. IBM Business Partners are only authorized to quote to the Participating Entity the products and pricing specified by IBM for the WSCA/NASPO Master Price Agreement. Inclusion of the Business Partner identifier in the Purchase Order may result in a fee payment to the Business Partner. Such fee payment will not affect the pricing specified in the WSCA/NASPO Master Price Agreement.

Orders and payments are to be issued directly to IBM unless otherwise mutually agreed upon.

The Master Price Agreement Number MUST be shown on all Purchase Orders issued against this Agreement.

Additional information re: ordering, identifying Business Partners and other relevant information can be found on the IBM WSCA/NASPO web site: www.ibm.com/easyaccess/wscanaspo

ALL OTHER TERMS AND CONDITIONS REMAIN THE SAME.

This Addendum and the Price Agreement together with its exhibits and previous amendments (#1 and #20 set forth the entire agreement between the parties with respect to the subject matter of all previous communications, representations or agreements, whether oral or written, with respect to the subject matter hereof. Terms and conditions inconsistent with, contrary or in addition to the terms and conditions of this Addendum and the Price Agreement, together with its exhibits, shall not be added to or incorporated into this Addendum or the Price Agreement and its exhibits, by any subsequent purchase order or otherwise, and any such attempts to add or incorporate such terms and conditions are hereby rejected. The terms and conditions of this Addendum and the Price Agreement and its exhibits and previous amendments shall prevail and govern in the case of any such inconsistent or additional terms.

IN WITNESS WHEREOF, the parties have executed this Participating Addendum as of the date of execution by both parties below.

State of California:

IBM CORPORATION

By: _____

By: _____

Name: Rita Hamilton

Name: _____

Title: Deputy Director

Title: _____

Date: _____

Date: _____